

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
KML Law Group, P.C.  
216 Haddon Avenue, Suite 406  
Westmont, NJ 08108  
Main Phone: 609-250-0700  
dcarlon@kmlawgroup.com  
Attorneys for Secured Creditor  
Toyota Motor Credit Corporation

In Re:  
Felipe Fernandez, Maryann Diaz-Fernandez,  
  
Debtors.



Order Filed on July 9, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-21446 MBK

Adv. No.:

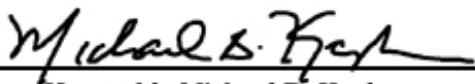
Hearing Date: 6/25/19 @ 9:00 a.m.

Judge: Michael B. Kaplan

### ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: July 9, 2019**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: Felipe Fernandez, Maryann Diaz-Fernandez

Case No: 18-21446 MBK

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to 2013 FORD F-150, VIN: 1FTFX1EF1DFC84234, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Richard F. Fried, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of June 8, 2019, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 1, 2018 through June 2019 for a total post-petition default of \$3,361.04 (11 @ \$305.67, less suspense \$1.33); and

It is **ORDERED, ADJUDGED and DECREED** that six installment payments totaling \$1,834.02 should be paid within 15 days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$1,527.02 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume July 1, 2019, directly to Secured Creditor care of its servicer, TMCC, P.O. Box 5855, Carol Stream, IL 60197-5855; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan and motion for relief is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Felipe Fernandez  
Debtor

Case No. 18-21446-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 09, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 11, 2019.

db +Felipe Fernandez, 38 Highland Terrace, Fords, NJ 08863-1303

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 11, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 9, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Charles G. Wohlrab on behalf of Loss Mitigation Carrington Mortgage Services, LLC  
cwohlab@logs.com, njbankruptcynotifications@logs.com  
Charles G. Wohlrab on behalf of Creditor BANK OF AMERICA, N.A. cwohlab@logs.com,  
njbankruptcynotifications@logs.com  
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Krystin Miranda Kane on behalf of Creditor BANK OF AMERICA, N.A. kralex@logs.com  
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation  
rsolarz@kmlawgroup.com  
Richard F. Fried on behalf of Debtor Felipe Fernandez friedlawyer@aol.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8